## STATE OF NEW HAMPSHIRE BALLOT LAW COMMISSION

## COMPLAINT OF DR. ORLY TAITZ, ESQ. AGAINST BARACK OBAMA

## Case # BLC 2011-4

## **DECISION ON REQUEST FOR RECONSIDERATION**

On November 18, 2011, this Commission heard the above-captioned complaint alleging that President Barack Obama's name should not appear on the Presidential Primary Ballot as a candidate for the nomination of the Democratic Party and that the New Hampshire Secretary of State had inappropriately ruled that the President's name should be included. The Commission rejected the complaint and upheld the decision of the Secretary of State (written decision to be issued).

By communication received on November 22, 2011, Pamela Barnett, claiming to be a co-complainant, submitted a request for reconsideration and rehearing ostensibly authored by Orly Taitz, Esq., asserting that this was a precondition to an appeal to the New Hampshire Supreme Court under RSA 541.

RSA 541 is not controlling and the request fails to recognize the provisions of New Hampshire RSA 665:7, which reads as follows (emphasis added):

"665:7 Filing Disputes. The ballot law commission shall hear and determine disputes arising over whether nomination papers or declarations of candidacy filed with the secretary of state conform with the law. The decision of the ballot law commission in such cases shall be final as to questions both of law and fact, and no court shall have jurisdiction to review such decision."

Since the request raises no new issues of fact or law, and is premised on the desire to appeal to court, contrary to the clear decision of the legislature to give exclusive and final jurisdiction to the Commission and not to any court, the request for reconsideration and rehearing is denied.

So ordered.

Date: November 28, 2011

radford H. Cook, Chairman

Margaret Ann Moran Martha Van Oot Jane Clemons